

D# 16 COMPREHENSIVE PLAN AND TITLE IV AMENDMENT REQUESTS PROPOSED CODE CHANGES

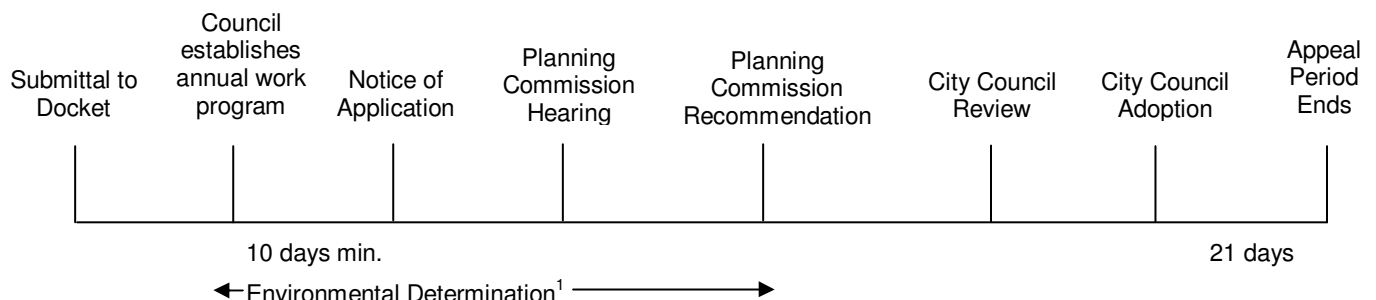
4-8-080G LAND USE PERMIT PROCEDURES

	PUBLIC NOTICE OF APPLICATION	RECOMMENDATION	OPEN RECORD PUBLIC HEARING ⁷	DECISION/ADOPTION	OPEN RECORD APPEAL	CLOSED RECORD HEARING	JUDICIAL APPEAL
TYPE IX⁴							
Development Regulation Text Amendments	Yes	Staff, PC	PC	CC			GMHB
TYPE X⁴							
Comprehensive Plan Amendments	Yes	Staff, PC	PC	CC			GMHB
Rezones Associated with Comprehensive Plan Amendments	Yes	Staff, PC	PC	CC			GMHB

4-8-080H

TYPE IX- LAND USE PERMITS

CITY COUNCIL/PLANNING COMMISSION/ ENVIRONMENTAL REVIEW/ DOCKETING PROCESS

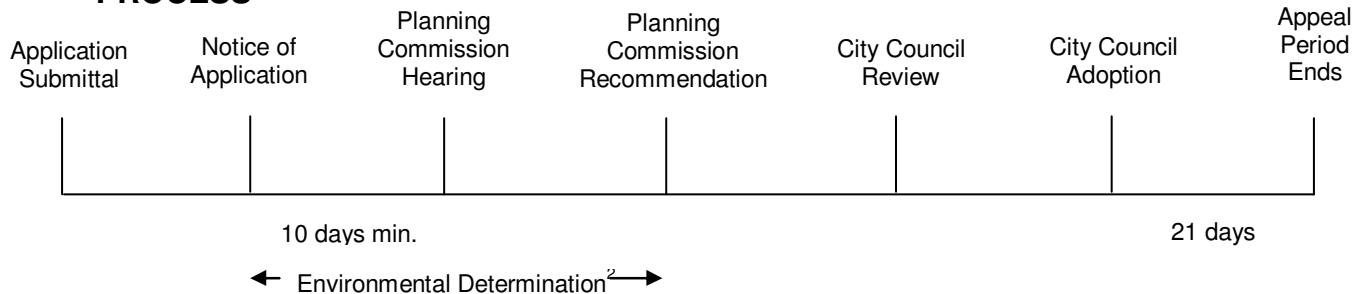


Type IX- City Council/ Planning Commission/Environmental Review/ Docketing Process

- Title IV Development Regulation Amendments
1. Environmental Threshold Determination shall not be issued prior to a 14-day comment period following public notice of the proposal. Any required comment and/or appeal period must be completed before the Planning Commission recommendation is made. Any appeal of the Environmental Determination shall be heard before the Hearing Examiner.

TYPE X¹- LAND USE PERMITS

CITY COUNCIL/PLANNING COMMISSION/ ENVIRONMENTAL REVIEW PROCESS



Type X¹- City Council/Planning Commission/Environmental Review Process:

- Comprehensive Plan Map or Text Amendments
 - Rezones associated with Comprehensive Plan Map Amendments
1. Type X Land Use Permits are exempt from the requirements of the State Regulatory Reform Act.
 2. Environmental Threshold Determination shall not be issued prior to a 14-day comment period following public notice of the proposal. Any required comment and/or appeal period must be completed before the Planning Commission recommendation is made. Any appeal of the Environmental Determination shall be heard before the Hearing Examiner.

4-9-020 COMPREHENSIVE PLAN ADOPTION AND AMENDMENT PROCESS

A. PURPOSE

The purpose of this section is to describe the procedures and review criteria for Comprehensive Plan amendments.

B. AUTHORITY

The GMA requires that an adopted Comprehensive Plan shall be subject to continuing review and evaluation and that any amendment or revision to the Comprehensive Plan conform to the requirements of Chapter 36.70A RCW, and that any change to development regulations or official controls is consistent with and implement the Comprehensive Plan. GMA requires that the City perform its activities and make capital budget decisions in conformity with the Comprehensive Plan. Additionally, GMA specifically requires that the City establish procedures whereby proposed amendment or revision of the

Comprehensive Plan are considered by City Council no more frequently than once every year, with the following exceptions: initial adoption of a subarea plan; adoption or amendment of a Shoreline Master Program; amendment of the Capital Facilities element; and whenever an emergency exists. Proposed amendments must be considered concurrently so the cumulative effect of the proposals can be ascertained.

C. APPLICABILITY

Proposed Comprehensive Plan Amendments may be initiated by:

1. The Mayor, City Council, or Planning Commission may initiate a Comprehensive Plan Amendment by submitting the request in writing to the Administrator of the Department of Community and Economic Development.
2. The Administrator of the Department of Community and Economic Development may initiate Comprehensive Plan Amendments that are necessary to ensure the consistency of the Comprehensive Plan, or other City plans and policies, with the Growth Management Act (GMA).
3. Private parties may initiate a Comprehensive Plan Amendment by submitting an application by December 15th for consideration the following year.

D. APPLICATION AND SUBMITTAL REQUIREMENTS

1. The application submittal requirements for amendments initiated by private parties are listed in RMC 4-8-120C Land Use Applications, Land Use Applications. City initiated amendments are exempt from formal application.
2. The fee for amendments initiated by private parties is listed in RMC 4-1-170 Land Use Review Fees. City initiated amendments will not be assessed a fee.
3. Applications for Comprehensive Plan Amendment shall not be accepted in the following circumstances, unless the amendment involves the correction of a technical error:
 - a. Applications which were submitted for amendment in the previous Plan amendment cycle that were denied;
 - b. Applications for amendment of the Comprehensive Plan land use map involving properties considered for amendment in the previous Plan amendment cycle;
 - c. Applications for amendment involving properties located within a community planning area in which the community planning process has been initiated; or, where a community plan has been adopted within the two years prior to the amendment cycle.

E. REVIEW PROCESS

1. Comprehensive Plan amendments shall be considered by the City Council concurrently, and no more frequently than once per year,

unless the amendment is exempt from adoption during the annual cycle by GMA.

2. Applications for Comprehensive Plan amendments by private parties shall be accepted by the Department of Community Development between October 1st and December 15th for consideration during the following year.
3. City-initiated applications may be accepted at any time, but shall be initiated by June 15th for consideration during the current year's amendment cycle. City-initiated applications accepted after June 15th will be considered during the next amendment cycle. This does not apply to amendments exempt from adoption during the annual cycle by GMA.
4. The Department of Community and Economic Development shall conduct its review of Comprehensive Plan amendments concurrently with Planning Commission review. However, all departmental reporting and evaluation, including necessary environmental review, shall be completed prior to the Planning Commission making recommendations on the Comprehensive Plan amendments.
5. The Planning Commission shall consider all Comprehensive Plan amendments, unless exempt from the annual amendment cycle by GMA, concurrently so that the cumulative effect of the proposals can be ascertained.
6. Planning Commission shall forward a recommendation to the City Council after a public hearing.
7. Comprehensive Plan amendments shall be adopted by ordinance of the City Council after review by the Planning and Development Committee of the City Council.

F. REVIEW CRITERIA

1. All Comprehensive Plan amendments will be evaluated on their merits based upon the following:
 - a. The effect upon the rate of growth, development, and conversion of land as envisioned in the Plan;
 - b. The effect upon the City's capacity to provide adequate public facilities;
 - c. The effect upon the rate of population and employment growth;
 - d. Whether Plan objectives are being met as specified or remain valid and desirable;
 - e. The effect upon general land values and housing costs;
 - f. Whether capital improvements or expenditures, including transportation, are being made or completed as expected;
 - g. Whether the initiated amendment conforms to the requirements of the GMA, is internally consistent with the Plan, and is consistent with the County-wide Planning Policies for King County;
 - h. The effect upon critical areas and natural resource lands;

- i. Consistency with locational criteria in the Comprehensive Plan and application requirements established in this section;
 - j. The effect upon other considerations as deemed necessary by the Department of Community and Economic Development.
- 2. All applications must meet at least one of the following criteria:
 - a. The request supports the vision embodied in the Comprehensive Plan; or
 - b. The request supports the adopted business plan goals established by the City Council; or
 - c. The request eliminates conflicts with existing elements or policies; or
 - d. The request amends the Comprehensive Plan to accommodate new policy directives of the City Council.
- 3. Proposals that include a concurrent rezone proposal shall also comply with the decision criteria for a change of zone classification in RMC 4-9-180.

G. PUBLIC NOTICE AND COMMENT PERIOD:

- 1. Public Notice of Application: the applicant and the public shall be notified of the application for a Comprehensive Plan amendment at least ten days prior to the first Planning Commission meeting in which the Department of Community and Economic Development reports on the amendment. Notice should consist of at least one of the following methods: mailings to property owners potentially affected by the proposal, posting of at least three notices in the area affected by the proposal, publication in a newspaper of general circulation, or postings at City Hall and public libraries within the City.
- 2. Notice of Public Hearing before the Planning Commission: the public shall be notified at least ten days prior to the date of the Planning Commission public hearing with a publication in the official newspaper if one has been designated, or a newspaper of general circulation if not. The applicant and any parties of record shall also be sent a notice by mail at least ten days prior to the date of the hearing.
- 3. Comment period for Planning Commission public hearing: Written comments will be accepted for ten days prior to the date of the public hearing until seven days after the date of the public hearing, unless the comment period is extended by a vote of the Commission. Verbal comments will only be accepted at the time of the hearing. All comments, including those sent by electronic means, must be accompanied by the full name and mailing address of the person making the comment.

4-9-025 TITLE IV DEVELOPMENT REGULATION REVISION AND INTERPRETATION PROCESS:

A. PURPOSE

The purpose of this section is to describe the procedures and review criteria for amendments to, and interpretations of, the Development Regulations, Title IV of the Renton Municipal Code. Code interpretations provide temporary clarification of Title IV. Once an interpretation is issued, the subject will be submitted to the docket for Title IV amendments.

B. AUTHORITY

In accordance with RCW 36.70A.470, a summary containing written comments on suggested development regulation amendments shall be coordinated by the Department of Community and Economic Development (CED). The text revision process is the means to either suggest a change, or to identify needed corrections, or both, in the development regulations. The Planning Director has the authority to issue Title IV code interpretations.

C. APPLICABILITY

1. Proposed Title IV Development Regulation Amendments may be suggested by:
 - a. The Mayor, City Council, or Planning Commission may suggest a Title IV Amendment by submitting the request in writing to the Administrator of the Department of Community and Economic Development.
 - b. The Administrator of the Department of Community and Economic Development may suggest Title IV Amendments.
 - c. Private parties may suggest a Title IV Amendment by submitting an application to the Department of Community and Economic Development.
 - d. Code interpretations issued by the Planning Director.
2. Any person may submit a written request for code interpretation to the Planning Director, regarding any applicable title or any subsequent amendment thereto.

D. REVIEW PROCESS FOR TITLE IV AMENDMENTS

1. Applications for Title IV amendments may be accepted at any time and placed on the Title IV docket. Imperative Title IV amendments designated by the Mayor, City Council, or Planning Commission may be given higher priority and processed outside the annual Title IV process outlined in this section.
2. The Department of Community and Economic Development shall keep a docket of suggested Title IV amendments that includes the following:
 - a. Name and address of the person or agency requesting the amendment;
 - b. Description of the amendment;
 - c. Date of the request;
 - d. Map of the affected area, if appropriate.

3. The Council Planning and Development Committee shall review the Title IV docket within the first quarter of the year to determine which applications to include in the Planning Commission's annual work program.
4. The Department of Community and Economic Development shall conduct its review of Title IV concurrently with Planning Commission review. However, all departmental reporting and evaluation, including necessary environmental review, shall be completed prior to the Planning Commission making recommendations on the amendments.
5. Planning Commission shall forward a recommendation to the City Council after a public hearing.
6. Title IV amendments shall be adopted by ordinance of the City Council after review by the Planning and Development Committee of the City Council.

E. REVIEW CRITERIA FOR TITLE IV AMENDMENTS

1. All Title IV amendments will be evaluated on their merits based upon the following:
 - a. Consistency and compliance with the Comprehensive Plan; and
 - b. All revisions must meet with at least one of the following criteria:
 1. The revision eliminates conflicts within the code or between the code and the Comprehensive Plan; or
 2. The revision changes code language to provide clarity, consistency, or ease of administration; or
 3. The revision directly implements policies of the Comprehensive Plan or City Business Plan; or
 4. The revision accommodates new policy directives of the City Council or Administration.

F. PUBLIC NOTICE AND COMMENT PERIOD FOR TITLE IV AMENDMENTS:

1. Public Notice of Application: the public shall be notified of the application for a Title IV amendment at least ten days prior to the first Planning Commission meeting in which the Department of Community and Economic Development reports on the amendment. Notice should consist of at least one of the following methods: mailings to property owners potentially affected by the proposal, posting of at least three notices in the area affected by the proposal, publication in a newspaper of general circulation, or postings at City Hall and public libraries within the City.
2. Notice of Public Hearing before the Planning Commission: the public shall be notified at least ten days prior to the date of the Planning Commission public hearing with a publication in the official newspaper if one has been designated, or a newspaper of general circulation if not. The applicant and any parties of record shall also be sent a notice by mail at least ten days prior to the date of the hearing.

3. Comment period for Planning Commission public hearing: Written comments will be accepted for ten days prior to the date of the public hearing until seven days after the date of the public hearing, unless the comment period is extended by a vote of the Commission. Verbal comments will only be accepted at the time of the hearing. All comments, including those sent by electronic means, must be accompanied by the full name and mailing address of the person making the comment.

G. REVIEW PROCESS FOR TITLE IV CODE INTERPRETATIONS

1. Requests for a code interpretations shall include:
 - a. the section of the code that is allegedly ambiguous or needing clarification;
 - b. the subject matter or nature of the request; and
 - c. any facts that are relevant to the request
2. The Director may deny or reject the request if there is no ambiguity or need for clarification demonstrated by the requestor.
3. Only one interpretation per issue shall be rendered by the Director. In the event an interpretation is requested on an issue previously addressed, the Director shall provide a copy of the previous interpretation to satisfy such request.
4. The Director shall post proposed interpretations on the City website for public review comment and possible appeal.
5. Interpretations shall follow the process of Development Regulations amendments and be amended into Title IV annually.

4-9-180 REZONE PROCESS

A. PURPOSE

The purpose of this section is to describe the procedure for processing applications for rezone in the City of Renton. This section addresses both rezones requiring a Comprehensive Plan Amendment and rezones that do not require a Comprehensive Plan Amendment.

B. ABILITY TO APPLY

An application for a rezone of property may be made by the property owner, or somebody authorized on his behalf, on forms provided by and filed with the Department of Community Development.

C. AUTHORITY FOR REZONES REQUIRING A PLAN AMENDMENT

Rezone requests requiring a Comprehensive Plan Amendment shall be recommended to the Mayor and the City Council by the Planning Commission after conducting a public hearing thereon.

D. AUTHORITY FOR REZONES NOT REQUIRING PLAN AMENDMENT

Rezone requests not requiring an amendment to the Comprehensive Plan shall be reviewed in an open public hearing held before the Hearing Examiner under the procedures and rules of the Hearing Examiner. The applicant will have the burden and duty of applying for and pursuing the rezone.

E. SUBMITTAL REQUIREMENTS AND FEES

Submittal requirements and fees shall be as specified in RMC 4-1-170, Land Use Review Fees, and 4-8-120C, Land Use Applications.

F. DECISION CRITERIA FOR CHANGE OF ZONE CLASSIFICATION

1. Criteria for Rezones Requiring a Comprehensive Plan Amendment

The following findings shall be made:

- a. The proposed amendment meets the review criteria in RMC 4-9-020; and
- b. The proposed zoning is consistent with the policies set forth in the Comprehensive Plan; and
- c. At least one of the following circumstances applies:
 - i. The property subject to rezone was not specifically considered at the time of the last area land use analysis and area zoning; or
 - ii. Since the most recent land use analysis or the area zoning of the subject property, authorized public improvements, permitted private development or other circumstances affecting the subject property have undergone significant and material change.

2. Criteria for Rezones Not Requiring Plan Amendment

The Reviewing Official shall make the following findings:

- a. The rezone is in the public interest, and
- b. The rezone tends to further the preservation and enjoyment of any substantial property rights of the petitioner, and
- c. The rezone is not materially detrimental to the public welfare of the properties of other persons located in the vicinity thereof, and
- d. The rezone meets the review criteria in subsections F1b and F1c of this Section.

G. COUNCIL REVIEW PROCESS

- 1. First and Final Readings:** In the case of a change of the zone classification of property (rezone), the city Clerk shall place the ordinance on the council's agenda for first reading. Final reading of the ordinance shall not occur until all conditions, restrictions or modifications which may have been required by the Council have

been accomplished or provisions for compliance made to the satisfaction of the Legal Department.

2. Adoption of Ordinance

The Council may upon proper petition or upon its own motion, after a public hearing thereon and referral to and report from the City Hearing Examiner or Planning Commission, change by ordinance the zoning classifications as shown on the district maps.

H. TIME LIMITATIONS FOR REZONE APPLICATION RESUBMISSION

A petition for a change of zoning classification, seeking the same or substantially same relief as a prior petition, cannot be refiled or resubmitted within a period of twelve (12) months from the date of final disapproval or rejection of such prior petition.